

**National Oceanic and Atmospheric Administration
Science Advisory Board**

Subcommittee Concept of Operations

Introduction

The National Oceanic and Atmospheric Administration (NOAA) Science Advisory Board (SAB) serves to advise the Under Secretary of Commerce for Oceans and Atmosphere (Under Secretary)/ NOAA Administrator on strategies for research, education, and application of science to operations and information services, so as to better understand and predict changes in Earth's environment and conserve and manage coastal and marine resources to meet the Nation's economic, social, and environmental needs. In order to carry out this broad mandate, the NOAA SAB frequently establishes subcommittees made up of SAB members, former SAB members, and other individuals external to NOAA to study specific topics and provide information and recommendations back to the full SAB. These subcommittees may be one of two types:

- Task Forces, which are *ad-hoc*, short term groups that exist for six months to two years to provide information to the SAB on timely issues; or
- Standing Working Groups that provide information and assessments to the SAB on a continuing basis.

Regardless of whether a group is designated as a Task Force or a Standing Working Group, it is considered a subcommittee for purposes of the Federal Advisory Committee Act (FACA) and the FACA implementing regulations, 41 CFR Part 102-3.

This document provides information on the concept of operations for each type of group.

NOAA Roles

NOAA has the authority, in consultation and with agreement of the SAB, to establish and disestablish subcommittees. NOAA also retains the authority to make the final selection, in consultation with the SAB, of chairs, co-chairs, members and replacement of members on subcommittees. The details of how this is done are outlined in the relevant sections later in this document.

The relevant NOAA line and program offices with most significant interests are identified for each subcommittee at the time it is established. These offices provide individuals to serve as the liaisons with the subcommittee, ensuring that NOAA provides technical, organizational, and fiscal information to the subcommittee as requested (and appropriate). These individuals may also provide the formal agency feedback, as appropriate, to any advice and recommendations that may be provided to NOAA from the SAB as a result of the subcommittee's efforts.

With respect to subcommittees, the SAB Designated Federal Officer's (DFO's) responsibilities include assisting the liaisons with technical, administrative, and organizational coordination as needed, reviewing and approving meeting agendas of the subcommittee, and attending meetings of the

Revised FINAL for SAB 02/02/17
subcommittee.

The SAB Office of NOAA provides advice to all standing working groups and task forces about the rules of the Federal Advisory Committee Act (FACA) and how these are applied to the SAB with respect to the efforts of the subcommittees. The SAB Office facilitates communications between the SAB and the subcommittees and ensures coordination among the different SAB subcommittees. SAB staff attends subcommittee meetings in order to ensure that the groups are conducting business as appropriate under the rules of FACA. The SAB Office works with the appropriate NOAA staff to ensure that any materials prepared for feedback on subcommittee products, after deliberation by the SAB and transmittal to NOAA, are handled appropriately and in a timely fashion. The SAB Office ensures that the subcommittees are provided access to SAB meetings where the results of their work are being considered.

Establishment

Who Establishes Subcommittees

NOAA Science Advisory Board subcommittees are established when either NOAA or the SAB determines that advice is needed by the agency on a particular topic but the membership of the SAB is neither sufficient in number nor expertise to provide direct, credible advice. The subcommittees exist to gather reliable, expert information for the SAB that it then uses to formulate advice for the agency. Although both NOAA and SAB may identify a need for a subcommittee, the establishment of the subcommittee must be approved by NOAA, as set forth in FACA and in Section 11 of the SAB Charter.

Process for Establishing Subcommittees

Once a need for a subcommittee is identified, NOAA identifies program liaisons and experts who work with the SAB Chair to identify an appropriate SAB member (or members) to act as the advocate(s) for the proposal. The resulting group of individuals from NOAA and the SAB is called the organizing committee. After agreement on the general concept for the subcommittee, the SAB member (or members) presents it to the full SAB at a regularly-scheduled meeting, together with draft terms of reference. Depending on the nature and scope of the issue to be addressed, the SAB determines whether the proposed subcommittee should be a Task Force (*ad hoc* subcommittee) or Standing Working Group.

The terms of reference for a Science Advisory Board subcommittee should include, at a minimum, the background for establishment of the group, the purpose and scope, and expected products and outcomes. The terms of reference should be explicit about what is expected but should also retain some flexibility for change as situations evolve. The terms will also specify the size of the group and, if *ad hoc*, the timeframe and expected number and timing of meetings for the group. The terms of reference for a standing working group should be reviewed and revised on a biannual basis by the SAB and NOAA, in conjunction with renewal of the SAB charter.

Upon SAB approval of a subcommittee concept and terms of reference, the SAB will submit a request to the Administrator for approval of the establishment of the subcommittee and of the terms of reference.

In some cases, a standing working group may take on a task that is beyond the scope of the terms of reference for that group or that overlaps with the scope of one or more working groups (e.g. program reviews, rapid advice on a timely topic). In those cases, the working group or groups may establish their own subgroups that draw in additional experts to address a specific issue. These subgroups will operate on a short time frame of six months to one year and will answer to the working group(s) that created them. The process for establishing these subgroups may be formal or less formal than the establishment of the parent working group, depending on the process required, but in any event will be subject to approval by NOAA as stated above. Funding for these subgroups will be worked out with the NOAA sponsors of the standing working group(s). The reports and recommendations from these subgroups will be reviewed and approved by the standing working groups(s) before being sent to the SAB for consideration.

Membership

Terms of Subcommittee Membership

Subcommittees of the SAB have generally been made up of 8-18 members but the number of members will be determined by the scope of the topic and the recommendation of the organizing committee. These individuals may come from other federal agencies, state or local governments, industry, non-governmental organizations, and the academic community. The qualifications generally include technical expertise or experience as a user of NOAA technical products or services. The process for determining membership balance on subcommittees is generally the same as that described in the SAB Membership Balance Plan, but may depend on the work, timing, and duration of the subcommittee. More specific information on membership balance may be included, as appropriate, in the subcommittee terms of reference. The subcommittee terms of reference will also include information on the ethical standards that apply to the subcommittee members.

The terms of standing working group membership generally are the same as those for the SAB – one three-year term renewable for one additional three-year term. In order to set up a staggered rotation of members, initial appointments for a new working group may be made for equal numbers of 1-, 2-, and 3-year terms, 2-, 3-, and 4-year terms, or 3-, 4-, and 5-year terms, depending on the preference of the SAB and NOAA. The length of the initial appointment will be made clear to the candidates when the original invitation is made by the SAB. Any members of the SAB who serve on a working group will not be subject to the rules of rotation unless they reach the end their terms on the SAB. At that time it will be decided jointly by NOAA and the SAB if the member will continue to serve on the working group or will rotate off. The dates and length of terms of the working group members will be included in the information provided on the SAB website about the groups.

Revised FINAL for SAB 02/02/17

The Chair or Co-Chairs of a standing working group will be determined by the specific charge and needs of that subcommittee. If practical, preference will be given to SAB members for this purpose. The organizing committee will bring this recommendation to the full SAB along with the proposed membership. The Chair or Co-Chairs of a task force must be (a) SAB member(s). The appointment of Chairs or Co-Chairs of any subcommittee is subject to NOAA approval. If there is no SAB member who is willing or able to serve as Chair of the subcommittee then there must be a member (members) designated to serve as liaison (or liaisons) to the subcommittee from the SAB. The liaison(s) will be subject to NOAA approval as well.

Process of Appointing Subcommittee Members

Once NOAA and the SAB have agreed upon the terms of reference for the subcommittee and whether it is a standing working group or task force, a list of potential candidates for membership will be developed. The organizing committee will solicit, research, and identify recommended candidates, with multiple potential candidates for each position. The organizing committee will not transmit advice or recommendations to NOAA, but will instead send any such advice or recommendations to the SAB for review and deliberation.

Depending on the level of expertise on the committee and the urgency of the matter, the membership may be agreed upon by the committee or a broader search for members may be implemented through a solicitation released through the Federal Register and/or specific requests to expert organizations. Once a list of potential members has been compiled, the organizing committee brings this to the full SAB for review and deliberation at a meeting. The SAB, after deliberation, will convey the reviewed list to the agency. The final selection of members is recommended by the SAB subject to NOAA approval. The SAB issues the invitations to the approved subcommittee or task force members.

Process of Replacing Standing Working Group Members

When members are to be replaced on a standing working group, the Chair or Co-Chairs of the working group will confer with the rest of the working group members and (in individual discussion) with the NOAA technical staff who support the working group to develop a list of candidates for presentation to the SAB. In developing a list of candidates, the working group will consider the range of expertise needed to fill vacancies in its membership. The rationale for the expertise needed will be documented (e.g. replace an individual with the same expertise, replace with an individual with different expertise based on upcoming issues to be addressed, etc.). Based on this rationale, the working group will then consider appropriate candidates with this expertise, including candidates who would also fill gaps in geographic, gender, and ethnic diversity of the overall working group. Based on all of these considerations, the working group will provide to the SAB (through the SAB Office at NOAA and with the assistance of the SAB liaison as needed) a set of potential candidates for consideration. At the same time, NOAA will also provide to the SAB a set of candidates for consideration. The SAB will circulate the combined list to the members for review and comments. Individual comments from SAB members will be relayed to the SAB Chair through the SAB Office. The SAB Chair will compile a list of acceptable candidates and send this to NOAA; this list is a recommendation from the SAB Chair based on individual input/comments, and does not represent the collective advice of the SAB.

Revised FINAL for SAB 02/02/17

Per 41 C.F.R. § 102-3.160, the SAB may, as a group, discuss the candidates in an executive session, not subject to the procedural notice and open meeting requirements of FACA, as long as the discussion is limited to such administrative/personnel issues and the members do not come to a consensus decision on their discussion. NOAA will select individuals to fill the subcommittee vacancies and present these to the SAB in a timely fashion.

Process for Appointing and Replacing Chairs of Standing Working Groups

Chairs or co-Chairs of SAB standing working groups will be appointed by NOAA at the time of the group establishment. Chairs or co-Chairs may serve one or two terms, and the specific term length of the Chair or co-Chairs will be determined and approved by NOAA and included in the terms of reference for the standing working group. Term length will be based on the following considerations: the needs of the group, and the importance of staggering co-Chairs' terms.

The process for appointing replacement Chairs or co-Chairs – and for assigning term limits for them (if not included in the term of reference) - is as follows. The existing Chair or co-Chairs, in consultation with group members, and following individual discussion with NOAA technical staff who support the working groups, will formulate a recommendation on the new Chair or co-Chairs and term length (including alternate candidates). The existing Chair or co-Chairs will transmit this recommendation, along with supporting materials, to the SAB Chair. Materials provided will include a justification statement, CV or resume for candidate(s), and list of the current members with terms. The SAB Chair will send out the recommendation to the full SAB for review and comments. The SAB Chair will review and compile SAB member input, which will be received on an individual basis only, and provide a recommendation to the NOAA Administrator. This recommendation is the individual input of the SAB Chair and does not represent the collective advice of the SAB. The NOAA Administrator will make the final selection of the new Chair or Co-Chairs and a recommendation for term length. The latter should include a consideration of the candidate's overall time on the standing working group in addition to the needs of the group and the importance of staggering co-Chairs' terms.

Communications and Updates

The SAB liaison(s) will be responsible for communications between the subcommittee and the SAB and for reporting on the actions of the subcommittee to the SAB. In addition a written update will be prepared by the subcommittee Co-Chairs and SAB liaison in advance of each in-person meeting of the SAB; this update will be part of the consent calendar. The liaisons may also provide verbal reports at SAB meetings if requested by NOAA or the SAB Chair. The SAB liaison(s) should attend all meetings of the assigned subcommittee. SAB Subcommittee liaisons may also introduce presentations by Subcommittee Chairs/Members to the SAB at scheduled SAB meetings.

Meetings

The meetings of a SAB subcommittee are called by the SAB DFO in consultation with NOAA staff and

Revised FINAL for SAB 02/02/17

the subcommittee Chair or Co-Chairs. These will be held on dates and in locations designated by the Chair or Co-Chairs, in consultation with the members of the group as well as the supporting NOAA offices. Logistical and travel arrangements for all meetings will be handled by NOAA.

Task forces may meet up to four times during their terms, unless justification can be made for additional meetings and if that justification is supported by NOAA. Standing working groups will meet 1-3 times per year, unless justification is made for more; at least one of these meetings will be in-person. If a standing working group meets less frequently than once per year, this will trigger a review by the SAB of the necessity of maintaining that working group. All members are expected to attend all meetings but may miss meetings at the discretion of the Chair or Co-Chairs. If a member misses all meetings in one year, this will be considered grounds for replacing the member. SAB Office staff will attend all working group meetings and may provide staff support for the meetings, if desired.

Subcommittees and their members may meet in executive session without representatives from NOAA programs present. These sessions should be limited in time and will be limited to administrative and preparatory work, including discussion of internal personnel issues and practices, or to matters specifically exempt from disclosure by statute; deliberative or decisional discussions may not be part of these sessions. The SAB DFO must attend these sessions.

The date, time, and location of the regularly-scheduled working group meetings will be posted on the SAB website. Subcommittee meetings are not advertised as open to the public because they are not federal advisory committees in their own right. However, these meetings should not be specifically closed. All requests to attend subcommittee meetings by non-members should be granted unless unique circumstances dictate otherwise. All subcommittee documents, correspondence, and other materials may be made available to the public, if requested, because they function under the auspices of a federal advisory committee.

Disestablishment

Task forces of the SAB are generally disestablished after they have submitted a final report to the SAB. The members of a task force may be invited to attend or call in to the meeting at which NOAA provides its feedback on the final report, typically within a year after its transmission to NOAA, if appropriate (see Work Products section below). However, if desired, and if stated in the original terms of reference, task forces may be called upon in the future to provide advice to the SAB on specific questions or to review specific documents. The SAB also retains the right to transition task forces into status as standing working groups if deemed desirable and if the transition is approved by NOAA.

Standing working groups of the SAB are disestablished if they have not met for one full calendar year or if the SAB decides that there is no longer a need for the group. In the case of the former, the SAB Chair will work with the SAB members and liaisons to the working group, the Chair or Co-Chairs of the working group, and the supporting NOAA offices to determine what the reason is for the failure to meet. The decision to disestablish a standing working group will be made as part of a review of working group activities at an SAB meeting, subject to approval by NOAA. The SAB Chair will then

Revised FINAL for SAB 02/02/17

send a letter to the NOAA Administrator informing him/her of the proposed disestablishment of the standing working group and the reasons for doing so, and requesting approval to disestablish.

Subsequent to the disestablishment of a standing working group, if there are compelling reasons why the meetings have not been held by a working group and the interest in the group is high in NOAA and on the part of the working group members and relevant SAB members, the working group may be re-established.

Duration

The duration of a task force may range from six months to two years, depending on the charge of the task force. The duration of each task force will be specified in that task force's terms of reference.

Standing working groups have no specified termination date. However, upon renewal of the SAB charter, any extant SAB task forces and standing working groups must be reviewed and either terminated or renewed at that point. If the SAB is not renewed, the task forces and standing working groups will be disestablished when the SAB terminates.

Work Products

General Purpose

The subcommittees of the SAB are convened in order to investigate and collect information on specific, relevant topics as well as to review and assess NOAA programs, offices, and operations in the context of science and research requirements under the NOAA mission and goals. This work should result in written documents that are provided to the SAB; the written documents prepared by a subcommittee are never transmitted directly to NOAA. *All products of the subcommittees are considered input to the SAB and not to NOAA.*

General Process

The SAB takes action on the transmission of all reports to NOAA. In particular, the SAB reviews and deliberates on all documents and recommendations from subcommittees before transmitting any documents or recommendations that originated as subcommittee products to NOAA. Transmission may include all of a report, a modified report, parts of a report, or a decision not to transmit the report at all. Both draft (if desired) and final reports will be presented to the SAB at regularly-scheduled, in-person SAB meetings. SAB questions and concerns must be addressed before the SAB accepts any task force report as final. The SAB may have follow-up meetings by teleconference to refine comments and consider the details of transmission of the documents. If a standing working group or task force solicits public comment on a draft prior to submitting the report to the SAB, the standing working group or task force should ensure it is clear that the draft is not the SAB's work product.

Work Products of Standing Working Groups

Standing working groups should provide the results of their work to the SAB on a regular basis, at least once a year, at a regularly-scheduled, in-person SAB meeting. These may take the form of written reports or short memoranda. Both types of documents should summarize the work conducted to date and may provide recommendations to the SAB. Recommendations in any working group document should be clearly labeled as such, numbered for easy reference, and be worded in a way as to make clear the action NOAA is recommended to undertake. While NOAA generally endeavors to take no more than one year to set up a feedback discussion at a regularly-scheduled meeting about SAB recommendations, the working group may suggest the SAB ask NOAA to discuss them in a shorter time, citing the rationale for this request. The SAB will decide what discussion timeframe to request, if such feedback is considered appropriate, and will work with NOAA to come to an agreement on this. Reports and reviews from standing working groups may also be sent out for public comment at the recommendation of the SAB. A working group is not obligated to incorporate all suggestions received through the public comment process but should, at a minimum; provide a summary of actions taken as in response to the comments.

Each standing working group should also prepare and provide to the SAB a yearly work plan for review and approval by the SAB and NOAA.

Work Products of Task Forces

The final product of a task force is a generally a single report. The draft report from a task force is sent out for public comment via a Federal Register Notice, in order to ensure that all material is reviewed in an open and transparent manner. A task force, like a standing working group, is not obliged to incorporate all suggestions received through public comment, but should provide a summary of actions taken in response to the comments. All other aspects of report submission to the SAB, including SAB review and approval and transmission to NOAA, are the same as for the products of standing working groups.

SAB Coordination with NOAA, and NOAA Functions

Once the SAB has agreed upon the report, it will be transmitted to NOAA with a cover letter addressed to the NOAA Administrator. After the report has been transmitted, the Administrator, if appropriate, will assign the responsibility for leading the discussion of recommendations to a specific entity in NOAA. This may be an Assistant Administrator, Council Chair, or other appropriate individual or office. That person or entity will then work with the SAB Office to ensure that a presentation and, if desired, a feedback document are prepared for consideration at a future SAB meeting, ideally within a year of transmission of the original report from the SAB. These materials will be reviewed by NOAA leadership before being presented to the SAB. The discussion materials may include a history or background of the issue, any internal policy or organizational changes that may have occurred to affect the recommendations since the SAB report was transmitted, and specific consideration of each recommendation provided.

Support

Revised FINAL for SAB 02/02/17

Subcommittees of the NOAA SAB are supported by NOAA. This includes staff support, logistics, and travel expenses but not compensation for time. Standing groups are supported by the relevant NOAA program liaison offices, identified at the time each subcommittee is established. The SAB Office may provide support to standing groups if staff time and budget permit and if requested by the relevant NOAA program liaison office. Task forces (*ad hoc* subcommittees) have received logistical, travel and staff support from the NOAA SAB Office in the past but may require other NOAA sponsorship in the future, as with the standing working groups.